Remarks/Arguments

Upon entry of the instant amendment, claims 1-20 will be pending in this application. Claims 1-14 are rejected. Claims 1-13 are amended herein. Claims 15-20 are newly added herein.

Rejection of Claims 1-14 under 35 U.S.C. § 102(b)

Claims 1-14 are rejected under U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,748,669 issued to Klayman ("Klayman '669"). Applicant respectfully traverses this rejection in view of the accompanying amendments and the following arguments. In particular, independent claims 1 and 10 are amended herein to include:

> "means for providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a bass frequency band relative to a mid-range frequency band." (see claim 1), and
>
> "circuitry operative to provide tonal compensation for the (L+R) signal path by increasing an amplitude of an (L+R) signal in a bass frequency band and a treble frequency band relative to a mid-range frequency band" (see claim 10).

As stated above, the invention of claim 1 provides tonal compensation for the (L+R) signal by ***increasing*** its amplitude in the bass frequency band relative to the mid-range frequency band. The invention of claim 10 provides tonal compensation for the (L+R) signal by ***increasing*** its amplitude in the bass and treble frequency bands relative to the mid-range frequency band.

In contrast to the claimed invention, Klayman '669 fails to teach, suggest or otherwise disclose the aforementioned type of tonal compensation for an (L+R) signal. Instead, Klayman '669 teaches away from the claimed invention by ***decreasing*** the

amplitude of an (L+R) signal in the bass and treble frequency bands relative to the mid-range frequency band (see, e.g., FIG. 5B and column 19, lines 35-38 of Klayman '669). While the Examiner cites FIG. 5A of Klayman '669 for allegedly representing the tonal compensation of an (L+R) signal, Applicant points out that FIG. 5A of Klayman '669 represents the frequency response of an ***(L-R) signal, not an (L+R) signal*** (see, e.g., FIG. 5A and column 10, lines 31-37 of Klayman '669). In other words, it is FIG. 5B, not FIG. 5A, of Klayman '669, that represents the frequency response of an (L+R) signal. As indicated by FIG. 5B, Klayman '669 processes an (L+R) signal in a completely different manner than the claimed invention by ***decreasing*** the amplitude of an (L+R) signal in the bass and treble frequency bands relative to the mid-range frequency band. Accordingly, Klayman '669 teaches away from the claimed invention, and therefore fails to anticipate (or render obvious) claims 1-14.

Dependent claims 2-9 and 11-13 are amended herein for grammatical purposes and/or to clarify the claim language.

Newly Added Claims 15-20

Newly added claims 15-20 are written in method format, and are deemed allowable for at least the same reasons as claims 1-14. In particular, newly added independent claim 15 includes:

> "providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a treble frequency band relative to a mid-range frequency band."

As previously indicated, Klayman '669 teaches away from the foregoing type of tonal compensation for an (L+R) signal by ***decreasing*** the amplitude of the (L+R) signal in the treble frequency band relative to the mid-range frequency band (see, e.g., FIG. 5B and column 19, lines 35-38 of Klayman '669). Accordingly, newly added claims 15-20 are also deemed allowable.

Conclusion

In view of the foregoing amendments and remarks, Applicant believes that this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Fee

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.